

## 1130 DELEGATIONS OF AUTHORITY

### Travel 07A

#### Acceptance of Payment "In Kind" to Cover Travel Expenses of Non-FTE Persons

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1. **Explanation of Material Transmitted:** Travel # 7A was established because Delegation of Authority # 7 does not extend to non-FTE persons. There is no statutory authority that permits a non-FTE person to accept travel and related expenses from a non-federal source (sponsored travel). As a result, NIH has developed policy emanating from the Standards of Ethical Conduct for Employees that will permit such acceptance but only when certain parameters are met. This new policy is contained in NIH Manual Chapter 1500, Chapter 10.

2. **Filing Instructions:**

**Remove:** None

**Insert:** NIH Manual 1130, Travel No. 7A, dated 09/19/02

**PLEASE NOTE:** To sign up for email notification of future changes, please go to the [NIH Manual Chapters LISTSERV](#) Web page.

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### Authority Delegated

To authorize the acceptance from non-Federal sources of services "in kind" **only** to defray travel, subsistence, and related expenses.

To Whom Delegated	Area of Authority
Deputy Director	NIH
Deputy Director for Management	NIH
IC Directors/Deputy Directors/Executive Officers	Respective Areas
OD Executive Officer	OD with the exception of ORS
Associate Director for Research Services	ORS

### Limitations/Guidance

1. The authority delegated above must be exercised in accordance with all applicable regulations and NIH policies and procedures.
2. Reimbursement offered and accepted is not to exceed (a) the currently set levels for each calendar day or fraction thereof in travel status for actual expense allowance subsistence within the boundaries of the continental United States, or (b) the sum of the maximum per diem allowance plus the currently set allowance for travel outside the boundaries of the continental United States.
3. Use of noncontract air carriers and use of foreign air carriers is subject to Delegation of Authority, [Travel No. 14](#), and GSA Federal Travel Regulations, 41 CFR 301.

### **Redelegation**

This authority may be redelegated to the IC Scientific Directors without further redelegation.

### **Citations**

1. 5 U.S.C. 302, 5701
2. 42 U.S.C. 203, 216, 281.
3. NIH Manual Chapter 1500, Chapter 10.
4. Travel Expense Act of 1949, as amended (Public Law 94-22).
5. Foreign Relations Authorization Act of 1999 (Public Law 95-105).
6. Memorandum to Heads of Operating Divisions from the Deputy Assistant Secretary of Finance, OS, dated March 6, 1996, entitled: Delegations of Authority.
7. Secretary's Reorganization Order of September 25, 1995 (60 FR 51480 (October 2, 1995)).
8. Standards of Ethical Conduct for Employees of the Executive Branch, 5 CFR Part 2635, especially Subpart B, "Gifts From Outside Sources."

/s/  
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Director, NIH

**Effective Date:** September 19, 2002